

PROSKAUER ROSE LLP  
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(212) 736-8185  
Attorneys for Defendant  
Banc of America Specialist, Inc.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL SCOTTO,

Plaintiff,

v.

BANC OF AMERICA SPECIALIST, INC.,

Defendant.

07 Civ. 9508 (DLC) ECF CASE

**DEFENDANT'S STATEMENT  
PURSUANT TO FRCP 7.1(a)**

Pursuant to Rule 7.1(a) of the Federal Rules of Civil Procedure and to enable judges and magistrate judges of the Court to evaluate possible disqualification or recusal, the undersigned attorneys of record for defendant Banc of America Specialist, Inc., certify that Bank of America Corporation is the parent corporation of Banc of America Specialist, Inc., and Bank of America Corporation has no parent corporation.

Dated: December 10, 2007

PROSKAUER ROSE LLP

By: s/ Daniel O'Donnell  
Keisha-Ann G. Gray (KG-3464)  
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Attorneys for Defendant  
Banc of America Specialist, Inc.

**CERTIFICATION OF SERVICE**

I hereby certify that on this date I caused to be served by fax and Federal Express, overnight delivery, Defendant's Statement Pursuant to FRCP 7.1(a) upon attorneys for Plaintiff, Robert Ottinger, Esq, The Ottinger Firm, P.C., 19 Fulton Street, Suite 400, New York, New York 10038.

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